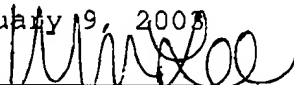


Patent Docket P1780R1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Kathy L. Miller et al. Serial No.: 09/813,341 Filed: March 20, 2001 For: Multivalent Antibodies and Uses Therefor	Group Art Unit: 1642 Examiner: Misook Yu Certificate of Facsimile Transmission Under 37 CFR § 1.8 In accordance with CFR § 1.6(d), this correspondence addressed to The Patent and Trademark Office, Washington, DC 20231 is being transmitted to facsimile No. (703) 305- 3014 January 9, 2003  Wendy M. Lee
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#13
JM
1/10/03RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

In the 12/13/2002 restriction requirement, the Examiner has asked that Applicant elect a single disclosed species from the following three different genres for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable¹:

- 1) The different number of binding sites (claims 1-4, 50-54, 56)
- 2) The different structures in VDs, number of amino acids in X positions, VH and CH linking patterns (claims 5-10, 57-68, 73-79)
- 3) The specific amino acid sequences of linkers (claim 11).

Applicants respond as follows:

1) With respect to the different number of binding sites, Applicants elect the species "four antigen binding sites." At least claims 1-2, 4-15, and 17-80 are believed to be readable on the elected species.

2) Concerning the different structures in VDs, number of amino acids in X positions, VH and CH linking patterns, Applicants elect VH-CH1-VH-CH1-

¹As noted in page 5 of the 10/17/02 Office Action, Applicants understand that, upon allowance of a generic claim, Applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim.

Serial No.: 09/813,341


Fc region. At least claims 1-15 and 17-60 are believed to be readable on the elected species.

3) As to the specific amino acid sequences of linkers in claim 11, Applicants elect gly-ser-gly-ser (SEQ ID NO:10). All pending claims are believed to be readable on the elected species.

Further prosecution on the merits is awaited.

Respectfully submitted,
GENENTECH, INC.

Date: January 9, 2003

By: 
Wendy M. Lee
Reg. No. 40,378
Telephone: (650) 225-1994



09157

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GROUP 1600

DATE: January 9, 2003

Please deliver the following Response to Restriction Requirement to:

NAME: Examiner Misook Yu - Group 1642
U.S. Patent and Trademark office
Washington, DC 20231

Fax No.: (703) 305-3014

FROM: Wendy M. Lee
Registration No.: 40,378

RE: U.S. Serial No.: 09/813,341
Our Docket No.: P1780R1

Number of Pages including this cover sheet - 3**Certificate of Facsimile Transmission Under 37 CFR § 1.8**

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